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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ULVALDO VALENCIA, ET AL.,

Plaintiffs,

v.

UNITED STATES OF AMERICA

Defendant.

Case No. 1:05-cv-00472-AWI-NEW

**STIPULATION TO CONTINUE  
CERTAIN PRETRIAL DATES; ORDER  
THERE TO**

Defendant the United States of America and Plaintiffs, through their respective counsel, hereby submit the following stipulation to continue certain pretrial dates.

**Recitals**

1. On July 16, 2007, the parties stipulated to continue the pretrial and trial dates due to the appointment of Kristi Kapetan to the California Superior Court. Ms. Kapetan was at the time the Assistant U.S. Attorney representing Defendant in this action;

2. The stipulated schedule continued the following dates:

Expert Discovery Cut off	November 16, 2007 (from June 22, 2007)
Pre-trial Conference	February 14, 2008 (from August 23, 2007)
Trial	March 17, 2008 (from October 2, 2007)

3. The Court adopted the parties' stipulation by Order dated July 20, 2007;
4. In preparing the stipulation to continue the pretrial and trial dates, the parties inadvertently omitted to continue the date to file dispositive motions, which had been set for June 29, 2007; and
5. The parties will not be able to complete expert discovery until after the current cut off date of November 16, 2007 due to the unavailability of certain expert witnesses to be deposed and the availability of counsel.

**Stipulation**

Accordingly, based upon the foregoing, the parties hereby STIPULATE that:

1. The date for expert discovery cut-off shall be continued from November 16, 2007 to **December 7, 2007**; and
2. The last date to file dispositive motions shall be **December 14, 2007**. Any dispositive motions filed shall be noticed for a hearing before the Court on **January 28, 2008** at **1:30 p.m.**; and
3. All remaining pretrial dates shall remain as set by the Court on July 20, 2007.

IT IS SO STIPULATED.

Respectfully submitted,

Date: October 2, 2007

McGREGOR W. SCOTT  
United States Attorney

/s/

By: Todd A. Pickles  
Assistant United States Attorney  
Counsel for Defendant United States

Date: October 1, 2007

LAW OFFICES OF FREDERICO C. SAYRE

/s/

By: Carrie Goulding  
Counsel for Plaintiffs

**ORDER**

Having read and considered the parties' Stipulation to Continue Certain Pretrial Dates, and for good cause showing, IT IS HEREBY ORDERED THAT:

1. The date for cut off of expert discovery and last date to file dispositive motions are CONTINUED to the dates set forth above; and
2. All remaining pretrial dates set by this Court on July 20, 2007 shall remain UNCHANGED.

IT IS SO ORDERED.

**Dated: October 3, 2007**

**/s/ Anthony W. Ishii**  
UNITED STATES DISTRICT JUDGE